

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Public Works		(2) MEETING DATE July 18, 2006		(3) CONTACT/PHONE Straith Smith Zanartu, Accountant (805) 781-5282	
(4) SUBJECT Hearing to Consider a Resolution Authorizing the Addition of Delinquent Service Charges for County Service Area Nos. 16 (Shandon - Water Service), 18 (San Luis Country Club Estates - Sewer/Waste Disposal, County Service Area 10A (Cayucos Water Services), and County Service Area 1 (Nipomo Sewer Service) to the 2006-07 Property Tax Bills					
(5) SUMMARY OF REQUEST On June 6, 2006, your Board accepted a report of delinquent service charges within the subject County Service Areas and directed the Clerk to set a public hearing for July 18, 2006.					
(6) RECOMMENDED ACTION It is our recommendation that: 1. Adopt the resolution which confirms the report of parcels to which delinquent service charges will be placed on the 2006-07 tax bills for collection. 2. Direct the Clerk to file the copy of the approved Resolution with the County Auditor no later than August 10, 2006.					
(7) FUNDING SOURCE(S) N/A		(8) CURRENT YEAR COST N/A		(9) ANNUAL COST N/A	
(10) BUDGETED? <input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A					
(11) OTHER AGENCY/ADVISORY GROUP INVOLVEMENT (LIST): Tax Collector, Auditor/Controller, and County Counsel and County Clerk					
(12) WILL REQUEST REQUIRE ADDITIONAL STAFF? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes, How Many? _____ <input type="checkbox"/> Permanent _____ <input type="checkbox"/> Limited Term _____ <input type="checkbox"/> Contract _____ <input type="checkbox"/> Temporary Help _____					
(13) SUPERVISOR DISTRICT(S) <input checked="" type="checkbox"/> 1st, <input checked="" type="checkbox"/> 2nd, <input checked="" type="checkbox"/> 3rd, <input checked="" type="checkbox"/> 4th, <input type="checkbox"/> 5th, <input type="checkbox"/> All			(14) LOCATION MAP <input checked="" type="checkbox"/> Attached <input type="checkbox"/> N/A		(15) Maddy Act Appointments Signed-off by Clerk of the Board N/A
(16) AGENDA PLACEMENT <input type="checkbox"/> Consent <input checked="" type="checkbox"/> Hearing (Time Est. <u>15</u>) <input type="checkbox"/> Presentation <input type="checkbox"/> Board Business (Time Est. _____)			(17) EXECUTED DOCUMENTS <input checked="" type="checkbox"/> Resolutions (Orig + 4 copies) <input type="checkbox"/> Contracts (Orig + 4 copies) <input type="checkbox"/> Ordinances (Orig + 4 copies) <input type="checkbox"/> N/A		
(18) NEED EXTRA EXECUTED COPIES? <input type="checkbox"/> Number: _____ <input type="checkbox"/> Attached <input checked="" type="checkbox"/> N/A			(19) APPROPRIATION TRANSFER REQUIRED? <input type="checkbox"/> Submitted <input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A		
(20) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A			(21) W-9 <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		(22) Agenda Item History Date: 5-23-06
(23) ADMINISTRATIVE OFFICE REVIEW <div style="text-align: right; margin-top: 20px;"><i>OK Leslie Bon</i></div>					

Reference: 06JUL18-H-1

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SAN LUIS OBISPO COUNTY DEPARTMENT OF PUBLIC WORKS

Noel King, Director

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email address: pwd@co.slo.ca.us

TO: Board of Supervisors

FROM: Straith Smith Zanartu, Accountant *ASZ*

VIA: Will Clemens, Department Administrator *WC*

DATE: July 18, 2006

SUBJECT: Hearing to Consider a Resolution Authorizing the Addition of Delinquent Service Charges for County Service Area Nos. 16 (Shandon - Water Service), 18 (San Luis Country Club Estates - Sewer/Waste Disposal, County Service Area 10A (Cayucos Water Service), and County Service Area 1 (Nipomo Sewer Service) to the 2006-07 Property Tax Bills

Recommendation

It is our recommendation that your Honorable Board:

1. Adopt the resolution which confirms the report of parcels to which delinquent service charges will be placed on the 2006-07 tax bills for collection.
2. Direct the Clerk to file the copy of the approved Resolution with the County Auditor prior to August 10, 2006.

Discussion

The Public Works Department is requesting continuance of the policy of collecting delinquent service charges on the subsequent year's tax roll. Government Code Section 25210.77 (a) and Chapter 3.16 of the San Luis Obispo County Code authorize the procedure for collecting delinquent service charges in the subject County Service Areas. The public hearing will afford all property owners listed on the attached report an opportunity to present objections to the particular proposed charges. The delinquencies relate to services already provided and do not represent new or increased charges. Proposition 218 does not affect the collection of these charges pursuant to Government Code Section 25210.77a or Section 3.16 of the San Luis Obispo County Code.

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Other Agency Involvement/Impact

The Treasurer/Tax Collector collects the charges on the property tax bills, the Auditor/Controller places the charges on the property tax bills, the County Clerk notices the public hearing, and County Counsel has approved the attached resolution as to form and effect.

Financial Considerations

The delinquent charges are for the following services:

<u>County Service Area</u>	<u>Delinquent Amount</u>	<u>Service Type(s) Provided</u>
#16 (Shandon)	\$ 344.00	Water Service
#18 (San Luis Country Club)	\$ 2,702.00	Sewer/Waste Disposal
#10A (Cayucos)	\$ 58.00	Water Service
#1 (Nipomo Mesa)	\$ 324.00	Sewer Service

The collection of delinquent service charges on the property tax bills is a method of last resort. The Public Works Department follows a fair, but assertive, service discontinuance policy. The total service charges being requested to be placed on the tax bills represents approximately less than 1/2 of one percent for CSA 16-1, less than one percent for CSA 18, less than 1% for CSA 23, and less than 1% for CSA 10A of their respective annual revenues.

Results

The recommended action will result in all property owners receiving services in these special districts paying their legally established costs of those services. This will prevent other customers from having to subsidize these expenses and help maintain the quality of life in these communities.

Attachments: Resolution
 Exhibit
 Vicinity Maps

File: Districts/CSA 16, 18, 10A, and 1

Reference: 06JUL18-H-1

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LEGEND:

- CSA No. 16 Boundary
- CSA No. 16 Improvement Area 1 Boundary
- Looping, Developer, x-inch
- Looping, District, x-inch
- Potential Distribution Main Segment
- Potential Valve Installations (displayed)
- Potential Future Valve Installations

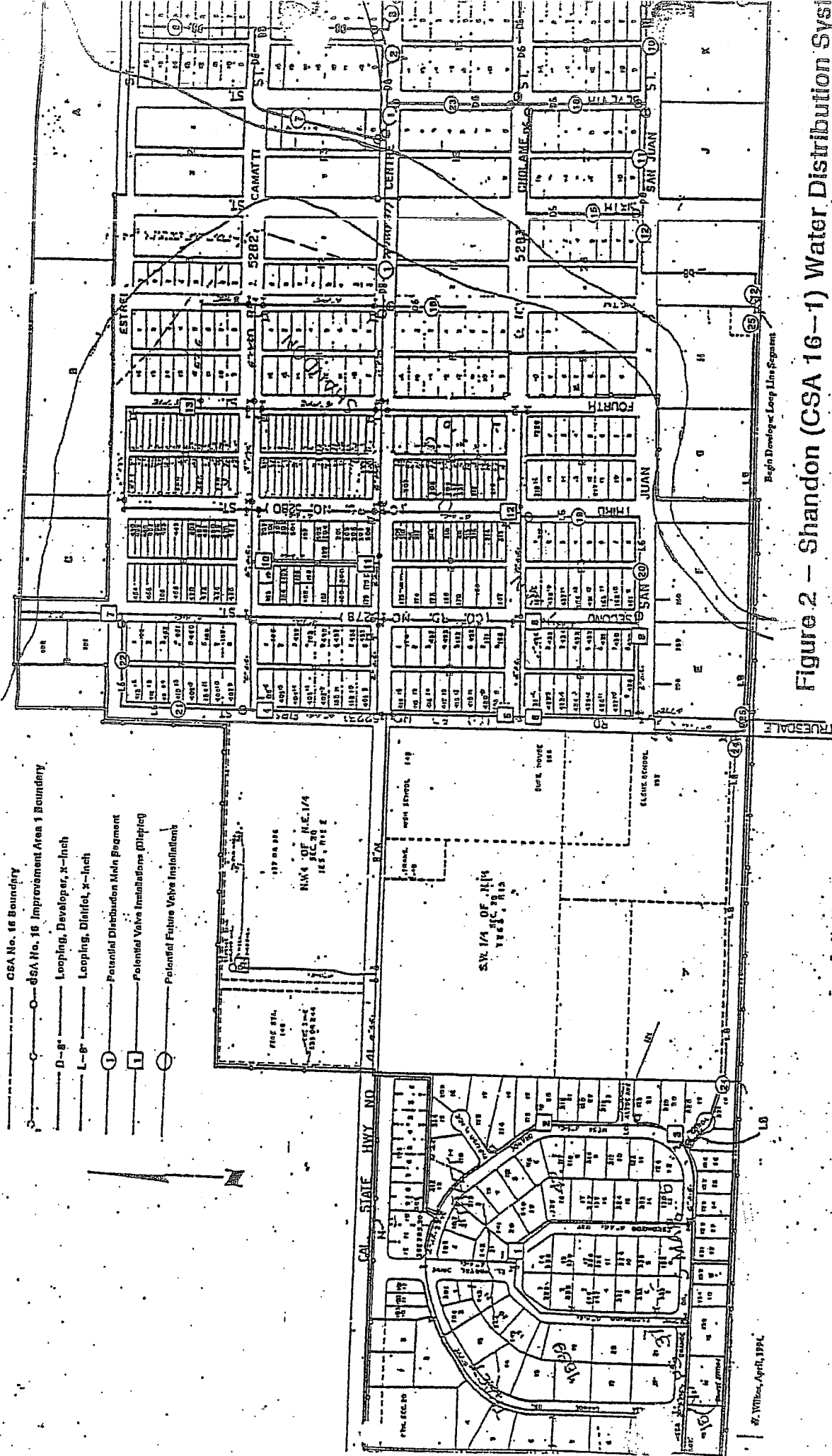
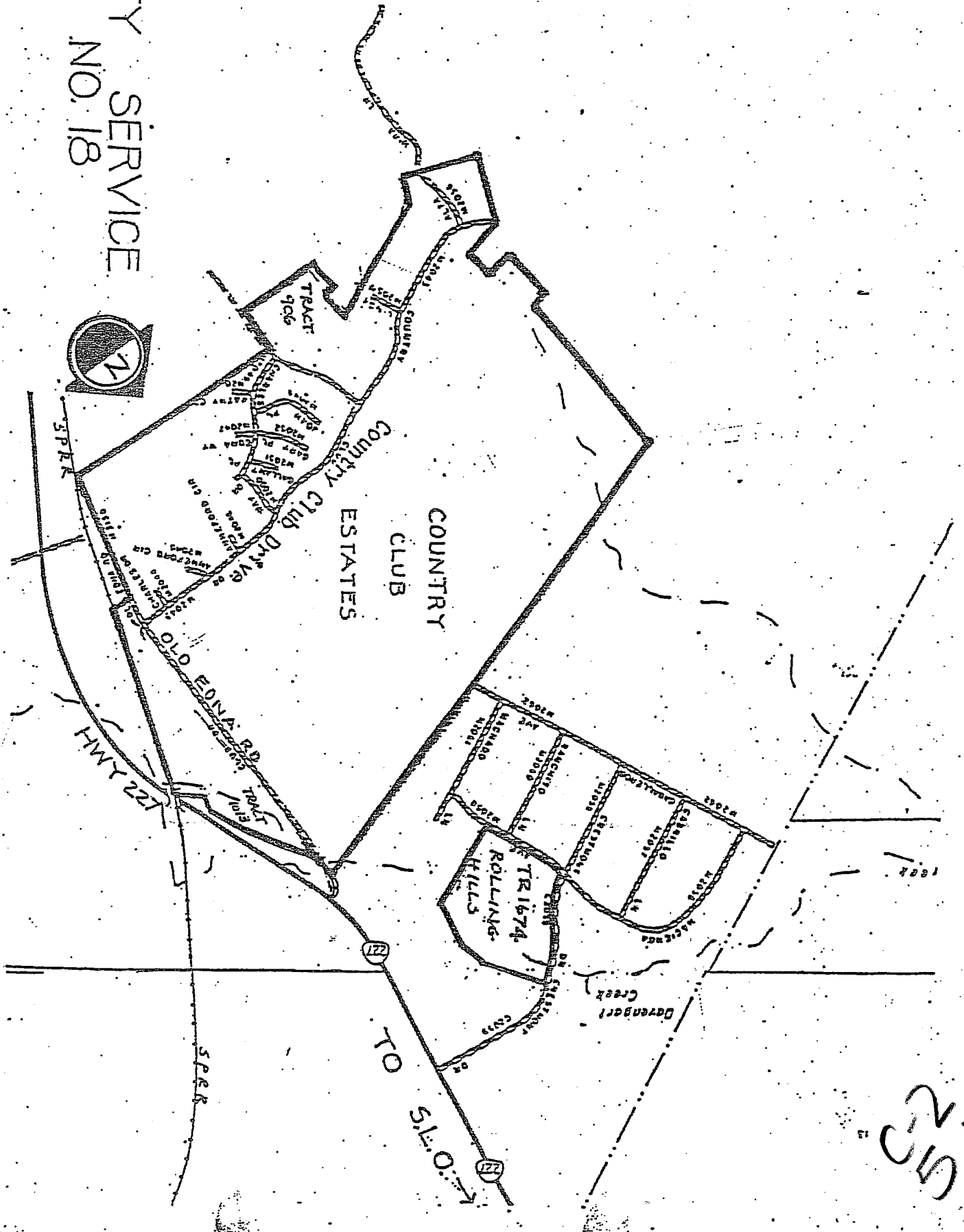


Figure 2 - Shandon (CSA 16-1) Water Distribution Syst

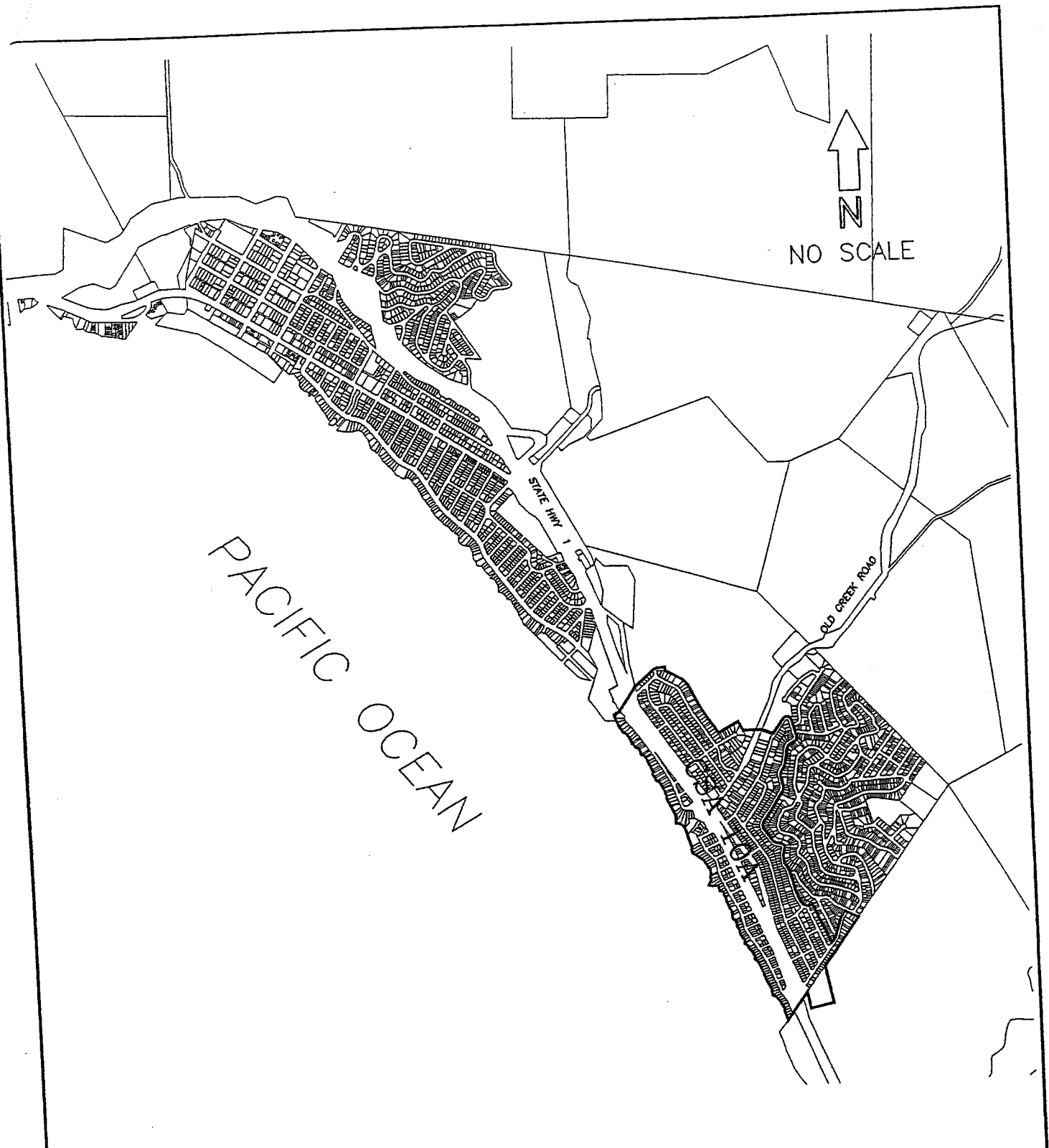
2. Wilson, April, 1994

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COUNTY SERVICE AREA NO. 18



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VICINITY MAP

TOWN OF CAYUCOS

COUNTY OF SAN LUIS OBISPO, CA.
PUBLIC WORKS DEPARTMENT

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IN THE BOARD OF SUPERVISORS

County of San Luis Obispo, State of California

_____ day _____, 20____

PRESENT: Supervisors

ABSENT:

RESOLUTION NO.

**RESOLUTION OF THE BOARD OF SUPERVISORS
ACTING AS THE GOVERNING BOARD OF SAN LUIS OBISPO
COUNTY SERVICE AREA NOS. 16 (SHANDON - WATER SERVICE),
18 (SAN LUIS COUNTRY CLUB ESTATES - SEWER/WASTE DISPOSAL),
10A (CAYUCOS - WATER SERVICE), 1 (NIPOMO - SEWER SERVICE)
RESOLUTION VERIFYING DELINQUENT SERVICE
CHARGES AND CONFIRMING REPORT**

The following Resolution is now offered and read:

WHEREAS, Government code Section 25210.77(a) provides authorization for collection of delinquent service charges on the property tax bill; and

WHEREAS, this Board, after due notice was given, have duly held a public hearing concerning the addition of delinquent service charges to the 2006-07 property tax bills; and

WHEREAS, at said hearing, a report (Exhibit A) containing such delinquent charges was duly received by said Board; and

WHEREAS, at said public hearing opportunity was given for filing objections and protests and for presentation of testimony or other evidence concerning the same; and

WHEREAS, it is in the public interest that this Board adopt the delinquent charges and confirm the report (Exhibit A) presented at the hearing.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Supervisors of the County of San Luis Obispo, State of California, Acting as the Governing Board of San Luis Obispo County Service Area Nos. 16, 18, 10A, 1, as follows:

1. That the recitals set forth herein and above are true, correct, and valid.
2. That this Board hereby adopts the delinquent charges set forth on the attached report marked "Exhibit A," which is hereby expressly incorporated herein by reference as though here fully set forth; and this Board hereby confirms the report containing such charges as set forth in said "Exhibit A."
3. That the delinquent charges are so confirmed and adopted shall appear as separate items on the tax bill of each parcel listed in said report (Exhibit A), and such delinquent charges shall be collected at the same time and in the same manner as

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delinquent charges shall be collected at the same time and in the same manner as ordinary County ad valorem taxes are collected, and are subject to the same penalties and the same procedure and sale in case of delinquency as provided for such taxes.

4. Direct the Clerk to file the certified copy of this resolution and said approved and confirmed report (Exhibit A) of delinquent charges with the County Auditor no later than August 10, 2006.

Upon motion of Supervisor _____, seconded by Supervisor _____, and on the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAINING:

the foregoing Resolution is hereby adopted.

ATTEST:

Chairperson of the Board of Supervisors

Clerk of the Board of Supervisors

[SEAL]

APPROVED AS TO FORM AND LEGAL EFFECT:

JAMES B. LINDHOLM, JR.

County Counsel

By: *[Signature]*
Deputy County Counsel

Dated: 5/4/06

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STATE OF CALIFORNIA, }
County of San Luis Obispo, } ss.

I, _____, County Clerk and ex-officio Clerk of the Board of Supervisors, in and for the County of San Luis Obispo, State of California, do hereby certify the foregoing to be a full, true and correct copy of an order made by the Board of Supervisors, as the same appears spread upon their minute book.

WITNESS my hand and the seal of said Board of Supervisors, affixed this _____ day of _____, 20 _____.

(SEAL)

County Clerk and Ex-Officio Clerk of the Board of Supervisors

By _____
Deputy Clerk.

Delinquent CSA Service Charge

2006-07 - EXHIBIT A

06-Jul-06

<u>District</u>	<u>APN</u>	<u>Amount</u>	
CSA 1			
	092-097-016	\$324.50	
		\$324.50	<u>No. of APNs</u> 1
CSA 10-A			
	064-207-060	\$58.42	
		\$58.42	<u>No. of APNs</u> 1
CSA 16-1			
	017-203-036	\$344.00	
		\$344.00	<u>No. of APNs</u> 1
CSA18			
	044-422-003	\$2,702.50	
		\$2,702.50	<u>No. of APNs</u> 1
 <u>Grand Total:</u>			
		\$3,429.42	<u>No. of APNs</u> 4

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